

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dennis D. Ferguson and James A. Proctor, Jr.  
Application No.: 09/263,358 Group: 2731  
Filed: 5 March 1999 Examiner: Not Yet Assigned  
For: FORWARD ERROR CORRECTION ON MULTIPLEXED CDMA CHANNELS  
ENABLING HIGH PERFORMANCE CODING

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>04-15-99</u>	<u>Mariah Moorhead</u>
Date	Signature
Mariah Moorhead	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated March 25, 1999, the following documents and fees are being submitted for filing in the captioned application:

- ☒ **EXECUTED DECLARATION/POWER OF ATTORNEY** - A copy of the Notice is attached.  
(Separate transmittal letter and postcard not required)
- ☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.  
(Separate transmittal letter and postcard not required)
- ☒ **SURCHARGE** - surcharge fee of \$65.00.  
(Separate transmittal letter and postcard not required)
- ☐ **SEQUENCE LISTING** - Filed concurrently and is attached.  
(Separate transmittal letter and postcard required)

☐ **PETITION FOR EXTENSION OF TIME**

☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [ ] for [ ] month(s) from [ ] to [ ].  
The appropriate fee of \$[ ] is included in the enclosed check.

☐ A [ ] month extension of time to respond to the Notice to File Missing Parts dated [ ] was filed on [ ] with payment of a \$[ ] fee.

☐ Applicant hereby petitions for an additional [ ] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[ ] is included in the enclosed check.

*(Separate Petition for Extension of Time and postcard not required)*

☒ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached.

*(Separate transmittal letter and postcard required)*

☒ **VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on [ ].

☒ Is enclosed herewith.

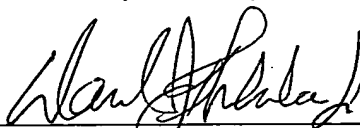
*(Separate transmittal letter and postcard not required)*

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[ ] which were paid on [ ] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$445.00. Authorization is hereby granted to charge any additional fees due to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

David J. Thibodeau, Jr.  
Registration No.: 31,671  
Tel.: (781) 861-6240  
Fax: (781) 861-9540



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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on <u>04-15-99</u>	<u>Mariah Moorhead</u>
Date	Signature
<u>Mariah Moorhead</u>	
Typed or printed name of person signing certificate	

REQUEST FOR CORRECTED FILING RECEIPT

Customer Correction Branch  
Application Processing Division  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In view of the concurrently filed Declaration/Power of Attorney, we hereby request that the following items of information be added to the Filing Receipt for the subject application received in this office on March 29, 1999.

Under Applicant(s)

After Dennis D. Ferguson, add Indian Harbour Beach, FL  
add James A. Proctor, Jr., Indialantic, FL

Enclosed is a copy of the Filing Receipt with changes noted in red. Please make the changes as noted above, and issue a Corrected Filing Receipt.

Since the errors were made by the U.S. Patent and Trademark Office and not by Applicants or Applicants' Attorney, it is understood that there are no additional fees for the requested corrected Filing Receipt.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By  \_\_\_\_\_

David J. Thibodeau, Jr.

Registration No.: 31,671

Telephone: (781) 861-6240

Facsimile: (781) 861-9540

Lexington, MA 02421-4799

Date: 15 April 1999

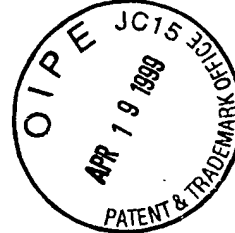
FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/263,358	03/05/99	2731	\$0.00	TAN98-24	8	12	2

DAVID J THIBODEAU JR  
HAMILTON BROOK SMITH AND REYNOLDS  
TWO MILITIA DRIVE  
LEXINGTON MA 02421-4799



Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

①

DENNIS D. FERGUSON, ~~RESIDENCE NOT PROVIDED~~

INDIAN HARBOUR BEACH, FL

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 03/23/99

TITLE

FORWARD ERROR CORRECTION ON MULTIPLEXED CDMA CHANNELS ENABLING HIGH PERFORMANCE CODING

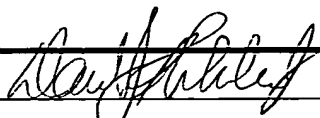
PRELIMINARY CLASS: 370

② JAMES A. PROCTOR, JR., INDIALANTIC, FL.

DATA ENTRY BY: EVANS, ELISHA M.

TEAM: 02 DATE: 03/23/99

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

<b>FEE TRANSMITTAL FOR PATENT APPLICATIONS</b>		Attorney Docket Number		TAN98-24	
		Application Number		09/263,358	
		First Named Inventor		Dennis D. Ferguson	
CLAIM CALCULATION (includes any preliminary amendment)					
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	12 - 20 =	----	x \$ 18 =	\$ -----
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	2 - 3 =	----	x \$ 78 =	\$ -----
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 260 =	\$ -----
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 760.00
				Total of above Calculations =	\$ 760.00
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$ 380.00
	TOTAL =				\$ 380.00
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$ 65.00
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$ -----
	Assignment Recordation Fee = (only when filed with application)				\$ -----
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent				TOTAL = \$ 445.00
1. Small entity status: <div style="margin-left: 20px;">           a. <input checked="" type="checkbox"/> A small entity statement is enclosed.            b. <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.            c. <input type="checkbox"/> Is no longer claimed.         </div>					
2. <input checked="" type="checkbox"/> A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.					
3. <input checked="" type="checkbox"/> A check is enclosed for \$ <u>445.00</u> . <input type="checkbox"/> Please charge \$ _____ to Deposit Account No. 08-0380.					
4. <input type="checkbox"/> Other: _____					
Signature				Date	
Submitted by Typed or Printed Name		David J. Thibodeau, Jr.		Reg. Number	
				15 April 1999	
				31,671	



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

PATENT APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/263,358	03/05/99	FERGUSON	D TAN98-24

DAVID J THIBODEAU JR  
HAMILTON BROOK SMITH AND REYNOLDS  
TWO MILITIA DRIVE  
LEXINGTON MA 02421-4799

0222/0325

NOT ASSIGNED

2731

DATE MAILED:

03/25/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 740.00.

- ☒ 1. The statutory basic filing fee is:  
☐ missing.  
☐ insufficient.

Applicant must submit \$ 740.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Elisha Evans

Customer Service Center  
Initial Patent Examination Division (703) 308-1202